

JONES DAY

222 EAST 41ST STREET • NEW YORK, NEW YORK 10017.6702
TELEPHONE: +1.212.326.3939 • FACSIMILE: +1.212.755.7306

Direct Number: (212) 326-3604
jtambe@jonesday.com

December 27, 2013

VIA HAND DELIVERY

Hon. Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007
Phone: (212) 805-0224
Fax: (212) 805-7986

Re: Wells Fargo Bank, N.A. v. Wales LLC et al., Case No. 13-06781 (PGG)(HP)

Dear Judge Gardephe:

We represent Interpleader Defendant Wales LLC (“Wales”) in the above-captioned interpleader action. This morning, the Court endorsed the briefing schedule stipulated to by Battenkill Insurance Company, LLC (“Battenkill”) and Wales, concerning Battenkill’s contemplated motion to intervene [Dkt. Nos. 40, 41]. We write to address the impact of that anticipated motion on the other matters we have previously submitted to the Court.

Wales respectfully requests that prior to Battenkill’s filing of its motion to intervene on January 10, 2014, this Court enter a bar date order similar to the one outlined by Wales in its December 13, 2013 letter to the Court [Dkt. No. 34]. Wales also respectfully requests that the deadline for any party to intervene, appear, join, or plead in this action be set for January 31, 2014 or a date soon thereafter (the “Bar Date”). This will ensure all potentially interested parties are given notice and the opportunity to intervene prior to any dispositive motion practice that the Court may deem proper, including any motion for judgment on the pleadings as requested by Wales in the joint pre-trial conference letter [Dkt. 32] and at the pre-trial conference [Dkt. 37].

For all the reasons expressed by Wales in the joint pretrial conference letter and at the pre-trial conference (*see* Dkt. Nos. 32, 37), Wales respectfully requests that the Court grant its request to file a motion for judgment on the pleadings and stay discovery in this matter pending resolution of that motion. Additionally, Wales respectfully requests that the Court set an expeditious briefing schedule for any such dispositive motion commencing in February 2014.¹

¹ All pleadings filed in this action closed on December 16, 2013. (*See* Dkt. Nos. 35, 36.)

JONES DAY

Hon. Paul G. Gardephe
December 27, 2013
Page 2

Should the Court have any questions, requests, or further instructions for the parties, we are available at the Court's convenience.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Jayant W. Tambe".

Jayant W. Tambe

cc: All Counsel of Record (via email)